

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOHN C. DUVALL,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-17-0247-F
)	
OKLAHOMA STATE BOARD OF)	
OSTEOPATHIC EXAMINERS et al.,)	
)	
Defendants.)	

ORDER

Magistrate Judge Charles B. Goodwin's Report and Recommendation of October 5, 2017 (doc. no. 24), recommends that defendants' motion to quash service of process (doc. no. 20) be granted to the extent the motion seeks to quash plaintiff's two certified-mail service attempts of July 2017 (*see*, doc. nos. 14, 15). The Report further recommends that plaintiff's motion for an extension of time (doc. no. 21) be denied without prejudice to refile, and that plaintiff be permitted 36 days from the undersigned's disposition of the Report, within which to cause service to be made upon each defendant and to ensure that proof of service is filed for each defendant.


No objection has been filed to the Report. Upon review, the court endorses the entire Report but reiterates here, primarily for defendants' benefit, the Report's statement that the parties have a duty to avoid unnecessary expenses with respect to service of summons and that incarcerated litigants face difficulties in obtaining service. *See*, doc. no. 24, pp. 7-8 of 9.

With there being no objection, the Report is **ACCEPTED, ADOPTED** and **AFFIRMED**. In accordance with the recommendations in the Report, defendants'

motion to quash service of process (doc. no. 20) is **GRANTED** to the extent the motion seeks to quash plaintiff's two certified-mail service attempts of July 2017 (*see*, doc. nos. 14, 15). Plaintiff's motion for an extension of time (doc. no. 21) is **DENIED** without prejudice to refiling. Plaintiff is **PERMITTED** an additional 36 days from the date of this order, within which to cause service to be made upon each defendant and to ensure that proof of service is filed for each defendant.

This action is **REFERRED BACK** to the magistrate judge for all purposes consistent with the terms of the original referral.

IT IS SO ORDERED this 9th day of November, 2017.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE